

ALLEGED SHIPMENT: Between the approximate dates of July 12, 1949, and May 25, 1950, from the State of California into the States of Colorado and Texas.

LABEL, IN PART: "Prophylaxis W Therapeusis Woodard Laboratories, Inc. Estrocrine Tablets Each tablet contains: 0.022 mg. alpha estradiol."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess since each tablet of the article was represented to contain 0.022 mg. of alpha-estradiol, whereas each tablet contained less than that amount of alpha-estradiol.

Misbranding, Section 502 (a), the label statement "Each tablet contains: 0.022 mg. alpha estradiol" was false and misleading as applied to an article which did not contain 0.022 mg. of alpha-estradiol per tablet, but contained less than that amount.

DISPOSITION: Pleas of not guilty having been entered, the case came on for trial before the court on November 7, 1951. On November 8, 1951, the court handed down a verdict of guilty as to all of the defendants on counts 1, 3, 5, 7, and 9, involving charges of adulteration, and a verdict of not guilty as to counts 2, 4, 6, 8, and 10, involving charges of misbranding. On December 3, 1951, the court imposed a fine of \$2,500 against the corporation and \$250 against each individual defendant.

3653. Alleged adulteration and misbranding of Fer Heparum B. U. S. v. Torigian Laboratories, Inc., and John Torigian. Plea of not guilty. Tried to the court and jury. Verdict of not guilty. (F. D. C. No. 28127. Sample Nos. 47817-K, 56567-K.)

INDICTMENT RETURNED: May 31, 1951, Eastern District of New York, against Torigian Laboratories, Inc., Queens Village, New York, N. Y., and John Torigian, president of the corporation.

ALLEGED SHIPMENT: On or about August 10 and October 28, 1948, from the State of New York into the District of Columbia and the State of New Jersey.

NATURE OF CHARGE: Adulteration, Section 501 (c), the indictment alleged that the purity and quality of the article fell below that which it purported and was represented to possess since it purported and was represented to be suitable and appropriate for intramuscular injection, which use requires a sterile product, whereas the article was not suitable and appropriate for intramuscular injection since it was not sterile but was contaminated with viable microorganisms.

Misbranding, Section 502 (a), the indictment alleged that the label statement "For Intramuscular Injection" which was displayed upon the boxes containing the article and the label statement "Intramuscular" which was displayed upon the ampuls were false and misleading.

DISPOSITION: Pleas of not guilty having been entered, the matter came on for trial before the court and jury on November 26, 1951. On November 29, 1951, the jury rendered a verdict of not guilty.